

Judge John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIAM DAVIS, and
EBONEY CHIPMAN,

Defendants.

NO. CR06-166 JCC

ORDER
CONTINUING TRIAL

Upon consideration of the parties' Stipulated Motion for Continuance of Trial Date, and the Waivers of Speedy Trial to be filed by both defendants,

THE COURT NOW FINDS that pursuant to Title 18, United States Code, Section 3161(h)(8)(A) and Sections 3161(h)(8)(B)(i) and (iv), the ends of justice served by continuing the trial date to January 16, 2007, outweigh the best interests of the public and the defendants in a speedy trial, in that, it has been demonstrated that (1) defendants are not in custody and each agrees to the continuance; (2) counsel for defendant Davis needs additional time to interview witnesses in Canada in order to effectively prepare for trial and the presentation of a defense; (3) counsel for both defendants require additional time to examine portions of the government's evidence in order to effectively prepare for trial and the presentation of a defense; (4) counsel for defendant Davis has scheduling conflicts in two matters set for trial in Washington State Court on November 1, 2006, and

1 November 13, 2006, respectively; (5) government counsel will be unavailable the week of
2 November 20, 2006, and the week of December 4, 2006; and (6) counsel for defendant
3 Chipman will be out of state from the end of November 2006 until December 26, 2006.

4 Defendant Davis has filed a Speedy Trial Waiver through December 18, 2006
5 (Dkt. No. 57).

6 IT IS THEREFORE ORDERED THAT trial in this matter is continued until
7 January 16, 2007.

8 IT IS FURTHER ORDERED THAT, for the purposes of computing the time
9 limitations imposed by the Speedy Trial Act, 18 U.S.C. §§ 3161-3174, the period of delay
10 from October 30, 2006, up to and including January 16, 2007, is excludable time pursuant
11 to 18 U.S.C. §§ 3161(h)(8)(A) and (h)(8)(B)(i) and (iv).

12 IT IS FURTHER ORDERED THAT each defendant shall file a Waiver of Speedy
13 Trial within one week from the date of this Order *sufficient to cover the period through*
14 *the trial date of January 16, 2007.*

15 DATED this 26th day of October, 2006.

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18 John C. Coughenour
19 United States District Judge
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